

April 8, 1987

M-870123

TO ALL PARTIES

Assignment of responsibility for amintenance of rail-highwayy crossings carrying public off-stage system highways (local highways) over and above the grade of the tracks of CSX Transportation, Inc., in sixteen municipalities, in ten counties of the Commonwealth of Pennsylvania.

To Whom It May Concern:

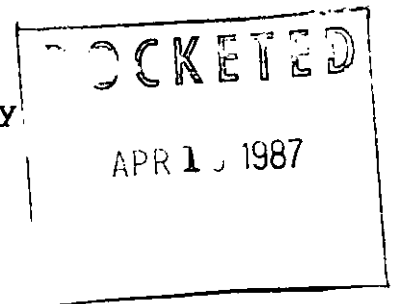
This is to advise you that a Tentative Decision has been adopted by the Commission in public meeting held April 2, 1987 in the above entitled proceeding.

A copy of this Tentative Decision has been enclosed for your records.

Very truly yours,

Jerry Rich, Secretary

fao
Encls.
Cert. Mail
Bureau of S&C-Rail
Similar letter to: Refer to attached list.



PUC-77

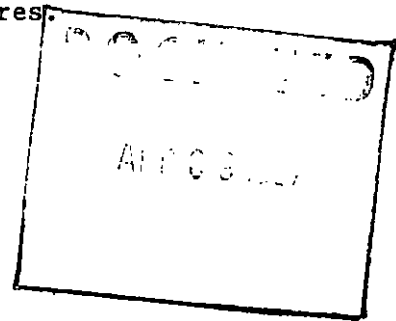
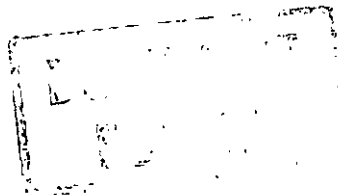
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	March 13, 1987	:	2. <u>BUREAU AGENDA NO.</u>
3. <u>BUREAU:</u>	Safety & Compliance	:	APR-87-SC-RS-160*
4. <u>SECTION</u>	Rail Safety	:	5. <u>PUBLIC MEETING DATE:</u>
6. <u>APPROVED BY:</u>		:	April 2, 1987
Director:	Nicely 3-3846	:	
Supervisor:	Lehman 7-9732	:	
7. <u>MONITOR:</u>		:	
8. <u>PERSON IN CHARGE:</u>	Fleisher 7-5936	:	
9. <u>DOCKET NO.:</u>	M-870123	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)			
(b) Short summary of history & facts, documents & briefs			
(c) Recommendation			

(a) Assignment of responsibility for maintenance of rail-highway crossings carrying local highways above tracks of CSX, in sixteen municipalities, in ten counties of the Commonwealth.

(b) By order adopted May 24, 1985 at I-850003, all railroads in the Commonwealth were directed to identify bridges carrying local highways. CSX Transportation identified the involved structures and acknowledged that it or others are responsible for maintenance thereof.

(c) The Bureau of Safety and Compliance recommends that the Commission adopt a Tentative Decision assigning maintenance responsibility for the fifteen crossing structures.



11. <u>MOTION BY:</u>	Commissioner Chm.	Commissioner Fischl - Yes
	Taliaferro	Commissioner
<u>SECONDED:</u>	Commissioner Shane	Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

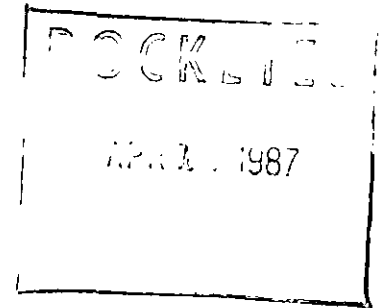
Public Meeting held April 2, 1987

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

Assignment of responsibility for maintenance of rail-highway crossings carrying public off-state system highways (local highways) over and above the grade of the tracks of CSX Transportation, Inc., in sixteen municipalities, in ten counties of the Commonwealth of Pennsylvania.

M-870123



TENTATIVE DECISION

BY THE COMMISSION:

By order adopted March 12, 1982 (entered March 24, 1982), this Commission instituted Investigation Docket No. 820362 for the purpose of determining the safety, structural adequacy, load carrying capacity and the economic impact of all posted public off-state highway system bridges (local bridges) above the grade of tracks of all railroads operating in the Commonwealth.

Potentially hazardous and unsafe situations continued to exist and develop on local bridges above the grade of railroads. Accordingly, by order adopted May 24, 1985 (entered June 5, 1985) this Commission instituted Investigation Docket No. 850003 for the purpose of determining information for the identification and inventory of all bridges carrying public highways, other than state highways, above the grade of the tracks of all railroads in the Commonwealth.

The Commission received the data from the railroads identifying local bridges over their tracks. Upon review of this data, we find that forty-nine (49) bridges were identified by CSX Transportation, Inc. (hereinafter CSX). There are Commission orders assigning the responsibility for maintenance of twenty-two (22) of these bridges. Another twelve (12) of these bridges are either under active consideration for replacement or are anticipated to be under consideration for replacement in the near future.

In August of 1985, Pennsylvania Department of Transportation embarked on an intensive bridge inspection program to bring the

Commonwealth into compliance with the requirements of the National Bridge Inspection Standards. The Department inspected all bridges, those carrying state system highways as well as off-state system (local) highways, for which it had no record of inspection during the past two years.

As a result of the Department's intensive inspection program, many of these local bridges have been found to be in poor condition. Many emergency orders have been issued placing new or further restricted maximum load limits on many local bridges over railroads.

We find that there is no outstanding order by this Commission, or its predecessor, assigning responsibility for maintenance of fifteen (15) of the crossing structures CSX has identified. The present condition of many of these bridges is noted as being poor and there is a restricted maximum load limit posted for such structures. CSX has indicated that it or some other party acknowledges responsibility for maintenance of these structures.

Upon review of the matters involved, we determine that to provide for the safety of the traveling public using these bridges until some major rehabilitation or reconstruction is done, a tentative decision should be issued assigning the interim responsibility for maintenance of these bridges to the party that has been identified as the party responsible for maintenance.

However, since the local municipalities have greater expertise in placing and maintaining bituminous paving and will be, from time to time, resurfacing the roadway surface on the approach highways, we will assign the responsibility for maintaining any bituminous surface course currently or subsequently placed on the bridge decks to the local government entity responsible for maintenance of the highway approaching the involved crossing structures; THEREFORE,

IT IS ORDERED:

1. That CSX Transportation, Inc., at its sole cost and expense, furnish all material and perform all work required to maintain the complete substructure and superstructure of the following existing crossing structures, so that each may continue to safely carry the current posted maximum load limits, if any, excepting therefrom any bituminous surface course currently or subsequently placed on the bridge deck:

<u>County Municipality</u>	<u>Highway Name Route</u>	<u>AAR No.</u>	<u>Bridge No.</u>	<u>Posted Load Limit</u>
Adams New Oxford Boro	High Street	832 134 W	603	7 tons

<u>Allegheny</u>				
Baldwin Twp.	Old Clairton Rd.	145 526 C	88A	3½ tons
<u>Armstrong</u>				
East Franklin Twp.	Limestone Hill Rd. T-480	148 950 G	260.73	3 tons
<u>Beaver</u>				
Marion Twp.	Old Furnace Road T-649	145 802 C	355A	15 tons
<u>Butler</u>				
City of Butler	Monroe St.	149 037 F	408D	* (M-860049)
* 13 tons for single vehicle and 24 tons for combination vehicle				
<u>Clearfield</u>				
Union Twp.	Bailey Rd. T-372	148 690 R	J-5.99	6 tons (M-860089)
<u>Delaware</u>				
Eddystone Boro. Ridley Twp.	Crum Lynne Rd.	140 653 L	81A	Not known
Darby Borough	Pine Street	140 643 F	86A	5 tons
<u>Indiana</u>				
West Mahoning Twp.	T-392	148 915 T	238.97	Not known
Creekside Boro.	Cochran St.	148 792 J	M-0.37	7 tons
<u>Philadelphia</u>				
City of Philadelphia	Wharton Ave.	140 626 P	90A	Not known
<u>Somerset</u>				
Meyersdale Boro.	North St.	832 277 U	1977	** (M-860092)
** 12 tons for single vehicle and 19 tons for combination vehicle				
Summit Twp.	T-381	145 117 K	25E	Not known

2. That the local government entity responsible for maintenance of the highway approaches to the involved crossing structures listed in Paragraph 1, at its sole cost and expense, furnish all material and perform all work required to maintain any bituminous surface course,

currently or subsequently placed on the bridge deck, so that the roadway surface is kept in a smooth and satisfactory condition.

3. That Allegheny County, at its sole cost and expense, furnish all material and perform all work required to maintain the complete substructure and superstructure of the existing crossing (AAR 145 856 H - Bridge No. 312 F) structure carrying Sixteenth Street over and above the grade of the tracks of CSX Transportation, Inc., in City of Pittsburgh, Allegheny County, so that the structure may continue to safely carry legal loads.

4. That National Park Service, at its sole cost and expense, furnish all material and perform all work required to maintain the complete substructure and superstructure of the existing crossing (AAR 871 036 L - Bridge No. 71.80) structure carrying Reynolds Avenue over and above the grade of the tracks of CSX Transportation, Inc., in Cumberland Township (Gettysburg National Military Park), Adams County, so that the structure may continue to safely carry legal loads.

5. That this order insofar as it imposes costs on any party, is without prejudice to that party to recover costs from others in accordance with any lawful agreement.

6. That unless exceptions are filed with this Commission within twenty (20) days after entry hereof, this tentative decision shall become final.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: April 2, 1987

ORDER ENTERED: APR 08 1987